In
United States
Patent and Trademark Office

In the Matter of
Application of

SCOTT A. HEIMERMANN and STEPHEN DANFORTH

for patent. Application No. _____

To: Commissioner of Patents
Washington, DC 20231

Amendment A

Prior to examination, please amend the above-entitled application for patent as follows:

Specification:

Page 2, end of line 2: insert the following:

This application is entitled to the benefit of Provisional Patent Application Nr. 60/226,818 filed August 22, 2000.

REMARKS: The above amendment is provided in response to the statutory requirement that applicant insert a reference to applicant's PPA.

Very respectfully,

Stephen Danforth
Joint Inventor-Applicant, pro se
c/o Ms. Joan Heimermann
West 3124 Hickory Hills Road
Chilton, WI 53014-9767

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SCOTT A. HEIMERMANN and

STEPHEN DANFORTH

for patent. Application No. _____

PETITION OF JOINT INVENTOR, STEPHEN DANFORTH,

TO FILE APPLICATION ON BEHALF OF JOINT INVENTOR, SCOTT A. HEIMERMANN

STEPHEN DANFORTH, one of the two joint inventors of the invention in the above-entitled application for patent, hereby petitions the Commissioner of Patents, pursuant to 35 U.S.C. 116, 37 CFR 1.47(a) and 1.64, and MPEP 409.03(a) and (d), to file the appended application on behalf of his joint inventor, Scott A. Heimermann.

The basis for this Petition is the fact that said joint inventor cannot be reached for purpose of signature through diligent effort. The facts giving rise to this conclusion are as follows:

Both joint inventors above named are incarcerated persons. Both proceed pro se as to this Application. At the time of the invention, and ensuing provisional patent application, filed August 22, 2000 (Application No. 60/226,818), both were incarcerated in the same cell hall of the same prison,

viz., Minnesota Correctional Facility/Stillwater, located in Bayport, Minnesota. However, in late March, 2001, Scott A. Heimermann was unexpectedly transferred to a prison in Wisconsin, viz., Columbia Correctional Institute, located near Portage, Wisconsin.

During July, 2001, and to the date hereof, Stephen Danforth has been preparing this regular Patent Application for filing within one year of the filing of the original, provisional patent application. It was petitioner, Stephen Danforth's understanding in this timeframe that, upon completion, he would send said application directly to Scott Heimermann for his signature. However, on July 27, 2001, Scott A. Heimermann wrote to petitioner, instead directing petitioner to send the application to Joan Heimermann, stating that Joan Heimermann would sign in Scott Heimermann's stead, by Power of Attorney by Scott Heimermann. Heimermann's letter to petitioner implied that Heimermann was not able to sign the application personally in his current place of imprisonment.

Petitioner has only more recently ascertained that such signature by way of power of attorney (granted to one who is neither a joint inventor nor a practitioner before the USPTO) on behalf of an inventor is not deemed a valid declaration by an inventor as to said patent application. On August 7, 2001, petitioner sent correspondence to Joan Heimermann, with copy also sent to Scott A. Heimermann, alerting both to this legal insufficiency, and requesting that Joan Heimermann obtain Scott heimermann's signature on said declaration. Nevertheless, petitioner has not received any response from either of them since then, and therefore currently believes that Scott A. Heimermann can neither sign said declaration nor communicate by any means with petitioner. Hence, Scott A. Heimermann cannot be "reached", within the meaning of the above provisions of law.

In order to preserve the priority of the original filing date of the provisional patent application, filed on August 22, 2000, the appended application must be filed on or before August 22, 2001. Because of the uncertainties of the above-described circumstance, petitioner is compelled by said circumstance to file said application by way of this petition on behalf of his joint inventor, Scott A. Heimermann.

Wherefore, petitioner, Stephen Danforth, requests that this petition be granted, and the appended patent application be accepted for filing, as of the Express Mail filing date reflected by the appended Transmittal.

Dated: August 16, 2001.

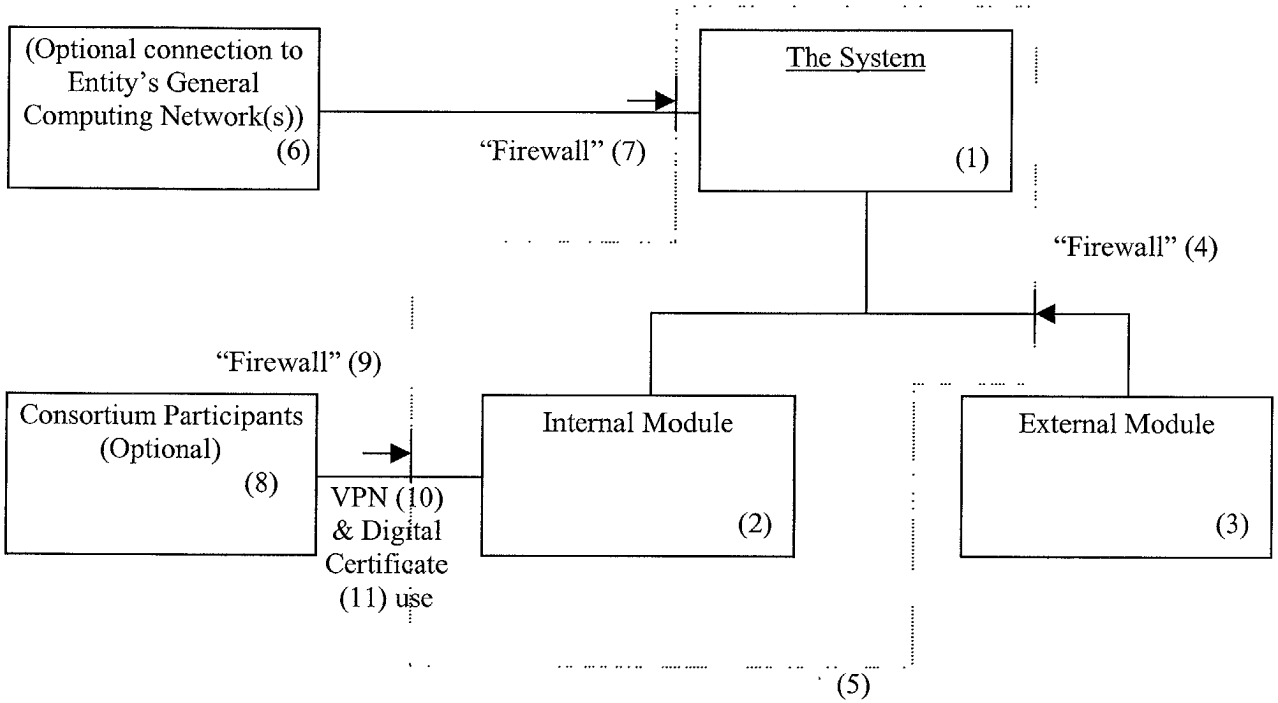
Stephen Danforth, Petitioner
Joint-Inventor

Declaration

I hereby declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Stephen Danforth

Figure 1
High-Level Structure of the "System"



(This System portion by Mainframe, Minicomputers, Network, and/or Intranet Deployment, except for Requisition Nodes and Requisition Unit Head Official Nodes – See Figs. 3 and 4)

TOT280" TTHE660

Figure 2
Mid-Level Structure: Internal Module

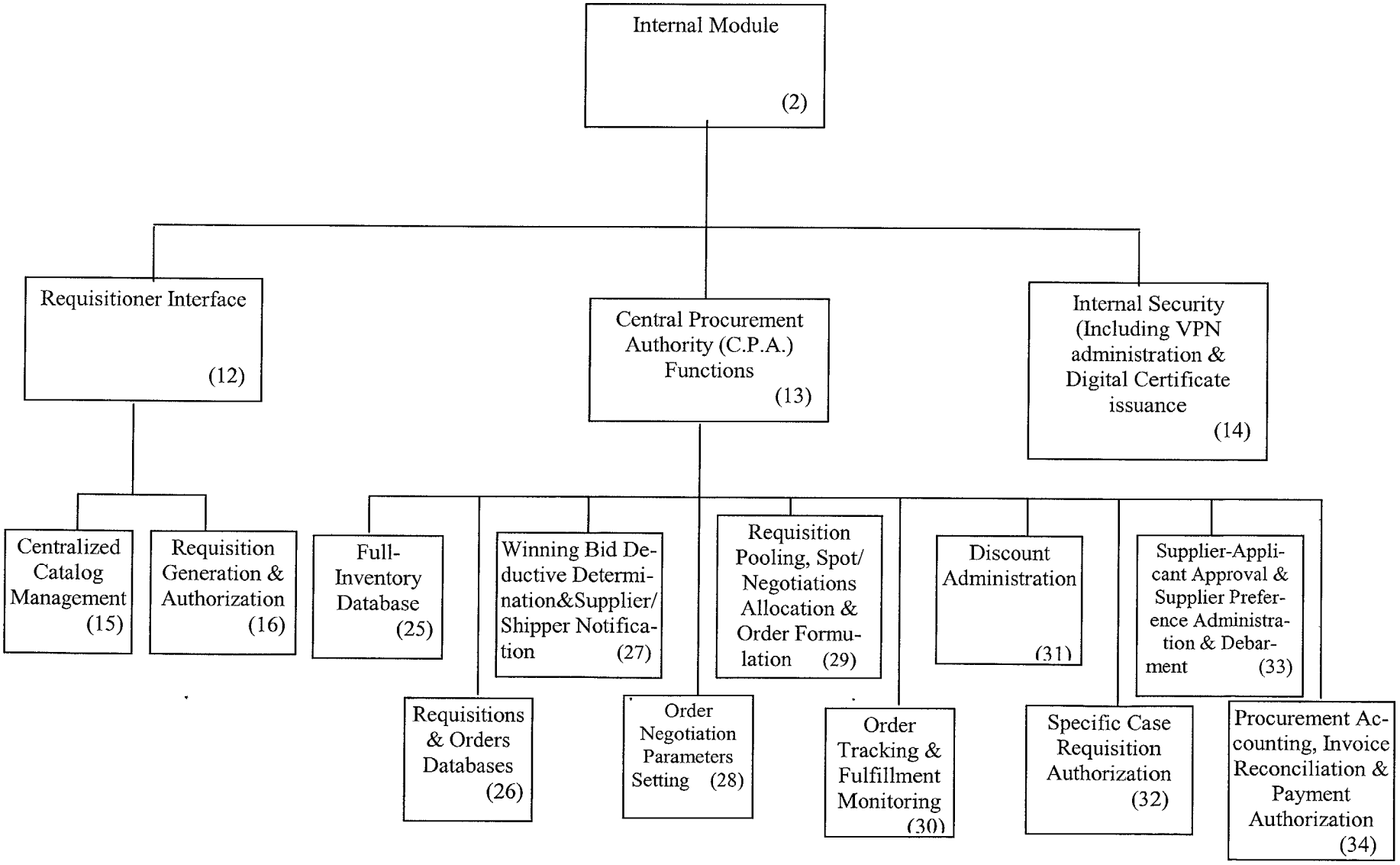
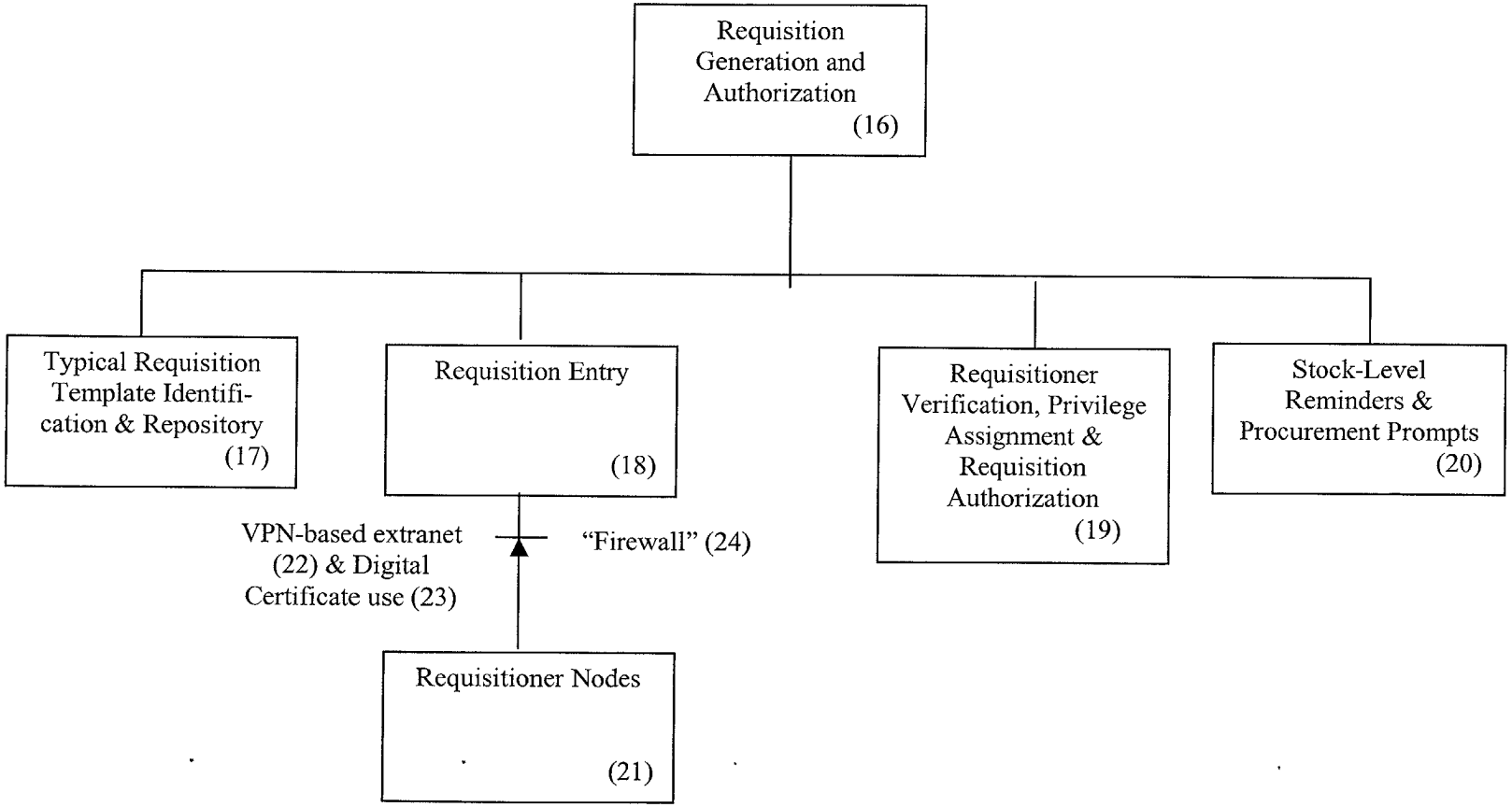


Figure 3
Detailed Structure: Requisition Generation and Authorization



FOT280 TTHE660

Figure 4
Detailed Structure: Requisition and Orders Databases

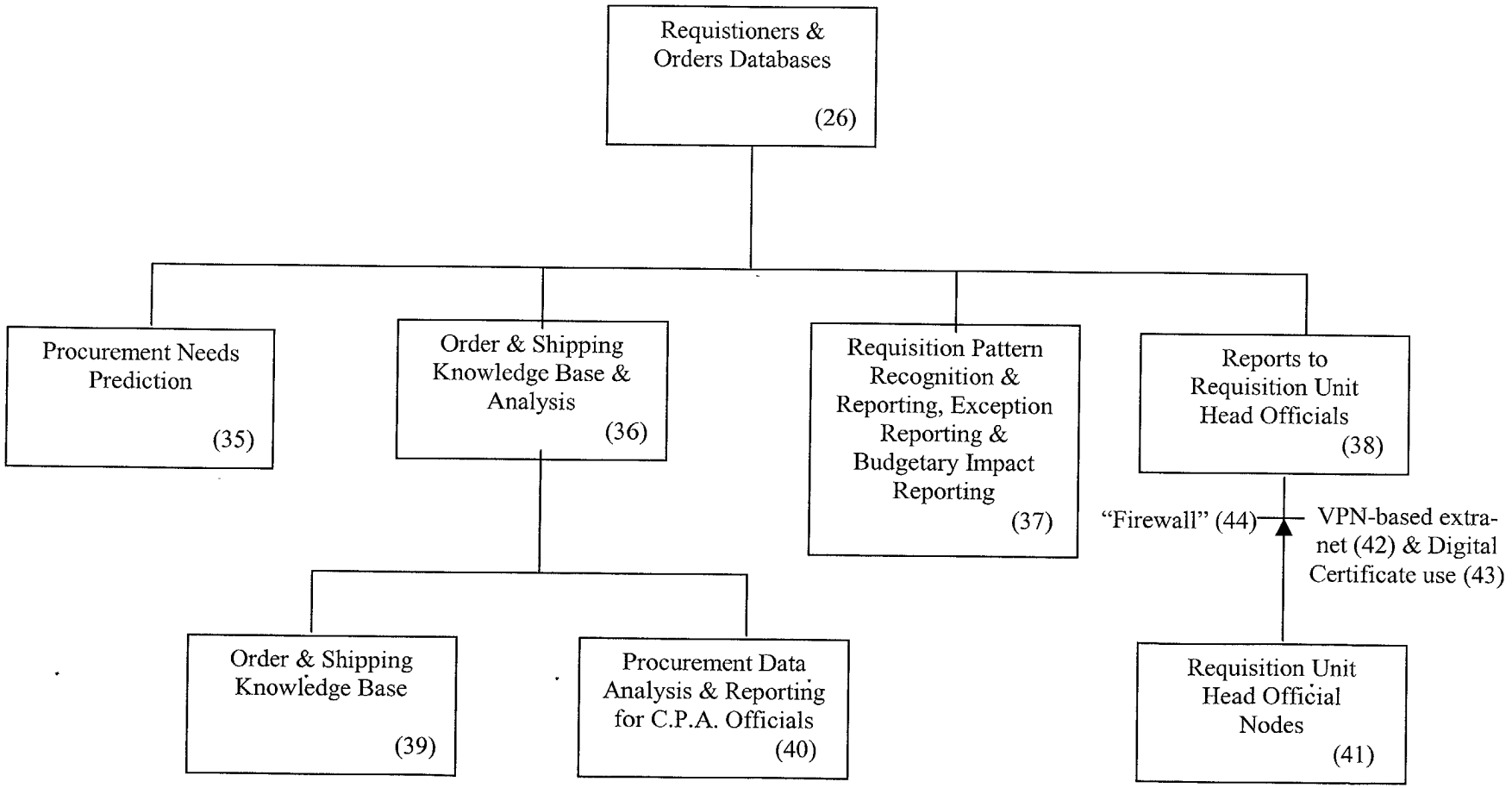


Figure 5
Mid-Level Structure: External Module

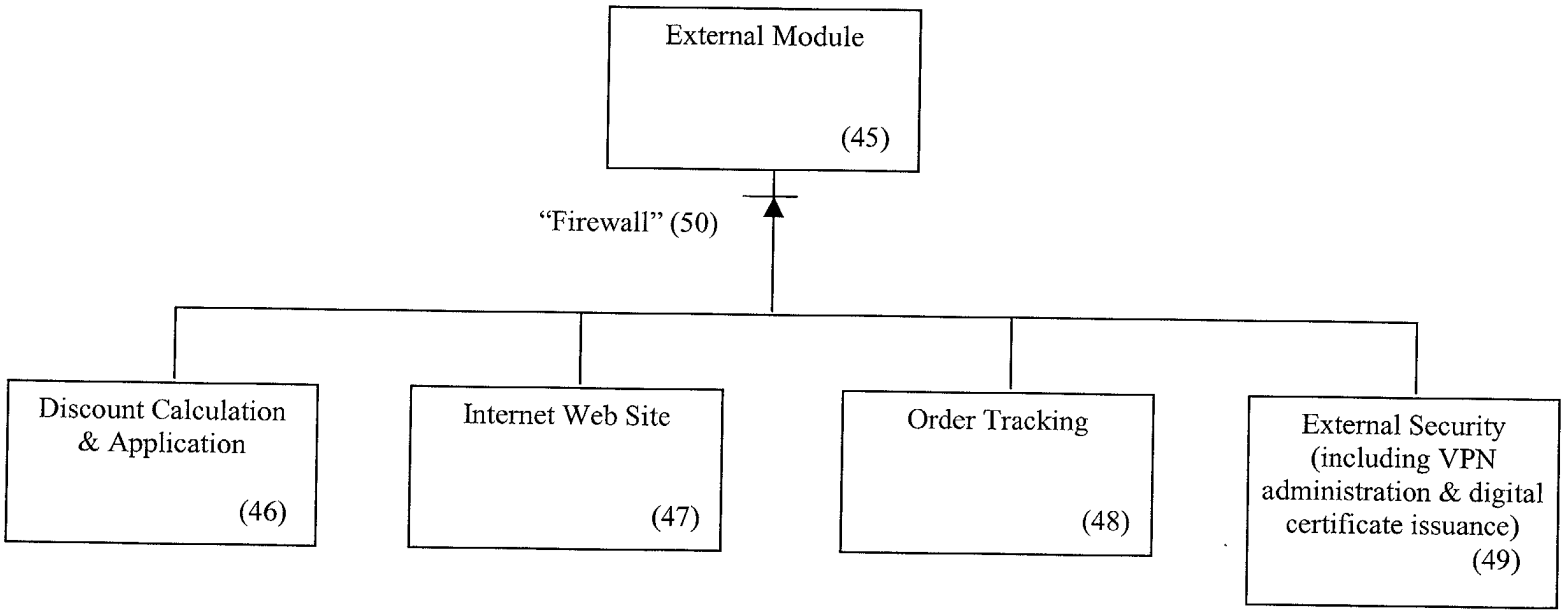


Figure 6
Detailed Structure: Internet Web Site

